

Serial No.: 09/873,299

REMARKS

Claims 1-9, as amended, remain herein.

The minor editorial changes have been made in claim 1 and one change has been made in claim 2. This Amendment and the following remarks place this application in condition for allowance (and surely in better condition for any appeal). Thus entry of this Amendment and allowance of all claims 1-9 are respectfully requested.

1. Claims 1-9 were rejected under 35 U.S.C. §103(a) over Applicants' Admitted Prior Art (AAPA) described in the specification and Kuriyama U.S. Patent 5,670,068.

The presently claimed laser processing apparatus selection comprises a position controller for selecting a control method from a plurality of control methods, each corresponding to a predetermined moving distance of the positioning unit, and for controlling a position of the positioning unit according to the selected control method. This arrangement is nowhere disclosed or suggested in any of the cited references.

Serial No.: 09/873,299

The Office Action alleges that Kuriyama '068 discloses a positioning unit that selects from a plurality of control methods, and that Kuriyama '068, column 6, lines 19-35 describes such selection, describing the controller connected to the various individual components and operating based on pre-stored data. The Office Action takes the position that the controller must select from a plurality of control methods because it has to move the various individual components of the system, i.e., a first control method for moving the galvano scanner, a second method for moving the driving device, a third for the camera, and so on.

However, claim 1 recites a position controller for selecting a control method for controlling a position of the positioning unit, which is not the same as for controlling the position of other components, such as the camera. Kuriyama '068 not disclose more than one control method for controlling just the galvano scanner, i.e., the positioning unit, and therefore, Kuriyama '068 does not disclose selecting from a plurality of such galvano scanner/positioning unit control methods.

Serial No.: 09/873,299

Moreover, there is another reason why Kuriyama '068 does not disclose a positioning unit that selects from a plurality of control methods. The Office Action, at page 6, lines 4-5, states, regarding Kuriyama '068, that "it is understood that the controller must select a control method from a plurality of methods based on pre-stored data" (underlining added). Kuriyama '068 does not describe or even suggest that such "pre-stored data" is the same as, or corresponds to, "a predetermined moving distance of said positioning unit" recited in applicants' claim 1. The only place in the record that discloses a position controller for selecting a control method from a plurality of control methods corresponding to "a predetermined moving distance of said positioning unit" is in applicants' claims and disclosure.

Additionally the Office Action cites Kuriyama '068 column 6, lines 3-18, as stating that certain methods are performed if certain conditions are met, and with reference to step S9 ("completed?"), suggests the example: If "yes" a first control method would be to move the scanners to the next conductive body, and if "no" an alternative control method would be to not

Serial No.: 09/873,299

move the scanners next to the conductive body. Thus, allegedly a method is selected from a plurality of control methods.

However, claim 1 recites selection of a method "corresponding to a predetermined moving distance of said positioning unit." Kuriyama '068, column 6, lines 11-16, describes step 9 as moving the X and Y galvanic scanners to the next conductive body based on a predetermined data at step S10, i.e. it continues processing if there are more conductive bodies left, or stops, if there are none left. Thus, Kuriyama '068 does not describe step 9 selecting between "Yes" and "No" based on a predetermined moving distance of the positioning unit, because step 9 merely determines presence of additional bodies to be processed, which has nothing to do with a predetermined moving distance of the positioning unit.

For the foregoing reasons, neither AAPA nor Kuriyama '068 contains any teaching, suggestion, reason, motivation or incentive that would have led one of ordinary skill in the art to applicants' claimed invention. Nor is there any disclosure or teaching in either of these references that would have suggested the desirability of combining any portions thereof

Serial No.: 09/873,299

effectively to anticipate or suggest applicants' presently claimed invention. Claims 2-9, which depend from claim 1, are allowable for the same reasons described herein for claim 1. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

All claims 1-9 are proper in form and patentably distinguished over all grounds of rejection cited in the Office Action. Accordingly, allowance of all claims 1-9 is respectfully requested.

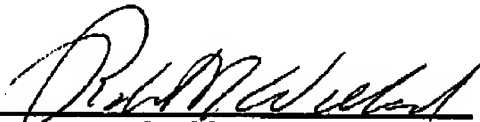
Serial No.: 09/873,299

Should the Examiner deem that any further action by the applicants would be desirable to place this application in even better condition for issue, the Examiner is requested to telephone applicants' undersigned representatives.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

November 14, 2003
Date


Roger W. Parkhurst
Registration No. 25,177
Robert N. Wieland
Registration No. 40,225

RWP:RNW/mhs

Attorney Docket No.: MEIC:108

PARKHURST & WENDEL, L.L.P.
1421 Prince Street, Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220